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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/584,142

05/31/2000

Byung Cheon Lee

K-177

2704

7590

11/05/2003

Fleshner & Kim, LLP  
14500 Avion Parkway  
Chantilly, VA 20151

EXAMINER

HOM, SHICK C

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 11/05/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/584,142

Applicant(s)

LEE ET AL.

Examiner

Shick C Hom

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/31/00, 10/13/00.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,13 and 18-24 is/are rejected.
- 7) ☒ Claim(s) 2-12,14-17 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) ✓
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 ✓
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Drawings***

1. Figures 1-3 should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections***

3. Claims 2-12, 14-17, and 19-25 are objected to because of the following informalities: in claims 2-12 line 1 delete "An apparatus" and insert ---The apparatus---. In claims 14-17 and 19-15 line 1 delete "A method" and insert ---The method---. In claim 2 line 4, the words "a plurality of AAL2 users" seem to refer back to "a plurality of AAL2 users" recited in claim 1

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lines 3-4. If this is true, it is suggested changing "a plurality of AAL2 users" to ---the plurality of AAL2 users---. In claim 2 line 9, the words "a user data" seem to refer back to "AAL2 user data" recited in claim 1 line 4. If this is true, it is suggested changing "a user data" to ---the AAL2 user data---. In claim 2 line 10 delete "the AAL2 data" and insert ---the AAL2 user data---. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

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reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1, 13, and 18-24 rejected under 35 U.S.C. 102(e) as being anticipated by Ostman et al. (6,483,838).

Regarding claim 1:

Ostman et al. disclose the apparatus for processing AAL2 supporting multiple virtual channels comprising: a transmitting part which multiplexes data from a plurality of AAL2 users into transmission ATM cells (see col. 2 lines 34-43, col. 2 line 60 to col. 3 line 6) based upon corresponding virtual path/channel information, and transmits to a corresponding destination a transmission ATM cell through one of a plurality of channels (col. 3 lines 7-49); and a receiving part which receives a reception ATM cell through one of the plurality of channels (see col. 2 lines 34-43, col. 2 line 60 to col. 3 line 6, and col. 3 lines 7-27), demultiplexes the reception ATM cell based upon corresponding virtual path/channel information, and transmits the demultiplexed data to corresponding AAL2 users (col. 3 lines 50-63).

Regarding claim 13:

Ostman et al. disclose the method for processing AAL2 supporting multiple virtual channels comprising: (a1)

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multiplexing data from a plurality of AAL2 users into transmission ATM cells (see col. 2 lines 34-43 and col. 2 line 60 to col. 3 line 6) based upon corresponding virtual path/channel information, and transmitting to a corresponding destination a transmission ATM cell through one of a plurality of channels (col. 3 lines 7-49); and (b) receiving a reception ATM cell through one of the plurality of channels (col. 2 lines 34-43, col. 2 line 60 to col. 3 line 6, and col. 3 lines 7-27), demultiplexing the reception ATM cell based upon corresponding virtual path/channel information, and transmitting the demultiplexed data to corresponding AAL2 users (col. 3 lines 5-63).

Regarding claim 18:

Ostman et al. disclose the method for processing AAL2 supporting multiple virtual channels comprising: (a) multiplexing packet data transmitted from at least one AAL2 user to generate protocol data (see col. 2 lines 34-43 and col. 2 line 60 to col. 3 line 6); (b) assigning virtual channel identification information (R Tag), set by destinations, to the protocol data (col. 38 lines 10-30); and (c) transmitting the protocol data through corresponding virtual channel according to the assigned identification information (R-Tag) (col. 37 lines 4-18).

Regarding claim 19:

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Ostman et al. disclose wherein in (a): assigning a header to the packet data, said header consisting CID information, LI information, UII information, and HEC information (col. 2 lines 1-8); and assigning the virtual channel identification information (col. 1 lines 36-46) and a start field to the racket data to which the header is assigned, said start field consisting of OSJF information, a sequence number of the protocol data, and a parity bit for correcting error (col. 2 lines 22-34).

Regarding claims 20 and 24:

Ostman et al. disclose wherein a predetermined byte having identification information for identifying the virtual channels is additionally assigned to the protocol data (col. 15 lines 6-31).

Regarding claim 21:

Ostman et al. disclose wherein the predetermined byte is one-byte (col. 15 lines 6-31).

Regarding claim 22:

Ostman et al. disclose wherein in (c) transmitting the protocol data through one of a buffers which are set corresponding to virtual channels (col. 14 line 22 to col. 15 line 63).

Regarding claim 23:

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Ostman et al. disclose (d) receiving the protocol data by ATM layer through the virtual channel (col. 2 lines 34-43, col. 2 line 60 to col. 3 line 6, and col. 3 lines 7-27); (e) demultiplexing the received protocol data to generate packet data, dividing the packet data by users or virtual channels (col. 3 lines 50-63); and (f) transmitting the packet data to an AAL2 user according to a corresponding destination (col. 3 lines 7-49).

#### ***Allowable Subject Matter***

6. Claims 2-12, 14-17, and 25 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Subblah et al. disclose a method and apparatus for resolving dynamic channel assignment conflict in AAL2 negotiation procedure.

Bradley et al. disclose transferring data communications from one ATM SVC to another ATM SVC.



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Constantionf et al. disclose telephony system and method of signalling.

8. Any response to this nonfinal action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (2600 Receptionist at (703) 305-4750).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick Hom whose telephone number is (703) 305-4742. The examiner's regular work schedule is Monday to Friday from 8:00 am to 5:30 pm EST and out of office on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao, can be reached at (703) 308-5463.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



DANGSTON  
PRIMARY EXAMINER

SH

SA

October 26, 2003